

causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. DIAZ-BALART, announced that the yeas had it.

Mr. SAXTON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 322
Nays 90

§86.6

[Roll No. 420]

YEAS—322

Ackerman	Davis (VA)	Hooley
Aderholt	Deal	Horn
Allen	DeFazio	Hostettler
Archer	DeLay	Houghton
Armey	Deutsch	Hoyer
Bachus	Diaz-Balart	Hulshof
Baesler	Dickey	Hunter
Baker	Dicks	Hutchinson
Baldacci	Dingell	Hyde
Ballenger	Doggett	Inglis
Barr	Dooley	Istook
Barrett (NE)	Doolittle	Jefferson
Bartlett	Doyle	Jenkins
Barton	Dreier	John
Bass	Duncan	Johnson (WI)
Bateman	Edwards	Johnson, Sam
Bentsen	Ehlers	Jones
Bereuter	Ehrlich	Kanjorski
Bilbray	Emerson	Kaptur
Bilirakis	English	Kasich
Bishop	Ensign	Kelly
Bliley	Etheridge	Kilpatrick
Blunt	Everett	Kim
Boehlert	Ewing	Kind (WI)
Boehner	Fawell	King (NY)
Bonilla	Fazio	Kingston
Bono	Foley	Klecicka
Borski	Forbes	Klink
Boswell	Fossella	Klug
Boucher	Fowler	Knollenberg
Boyd	Fox	Kolbe
Brady (TX)	Franks (NJ)	LaHood
Brown (CA)	Frelinghuysen	Lampson
Bryant	Frost	Largent
Bunning	Gallegly	Latham
Burr	Ganske	LaTourette
Burton	Gejdenson	Lazio
Buyer	Gekas	Leach
Callahan	Gephardt	Levin
Calvert	Gibbons	Lewis (CA)
Camp	Gilchrest	Lewis (KY)
Canady	Gillmor	Linder
Cannon	Gilman	Lipinski
Capps	Goode	Livingston
Carson	Goodlatte	LoBiondo
Castle	Goodling	Lucas
Chabot	Gordon	Luther
Chambliss	Goss	Manton
Chenoweth	Graham	Manzullo
Christensen	Granger	Mascara
Clement	Green	McCarthy (MO)
Coble	Greenwood	McCarthy (NY)
Coburn	Gutknecht	McCollum
Collins	Hall (OH)	McCrery
Combest	Hall (TX)	McDermott
Condit	Hamilton	McHale
Conyers	Hansen	McHugh
Cook	Harman	McInnis
Cooksey	Hastert	McIntosh
Costello	Hastings (WA)	McIntyre
Cox	Hayworth	McKeon
Coyne	Hefley	Menendez
Cramer	Herger	Metcalf
Crane	Hill	Mica
Crapo	Hilleary	Miller (FL)
Cubin	Hilliard	Minge
Cummings	Hinojosa	Mink
Cunningham	Hobson	Mollohan
Danner	Hoekstra	Moran (KS)
Davis (FL)	Holden	Murtha

Myrick	Roemer
Nethercutt	Rogan
Neumann	Rogers
Ney	Rohrabacher
Northup	Ros-Lehtinen
Norwood	Roukema
Nussle	Royce
Obey	Ryun
Ortiz	Salmon
Oxley	Sanchez
Packard	Sanders
Pappas	Sandlin
Parker	Sanford
Pastor	Sawyer
Paul	Saxton
Pease	Scarborough
Peterson (MN)	Schaefer, Dan
Peterson (PA)	Schaffer, Bob
Petri	Scott
Pickering	Sensenbrenner
Pickett	Sessions
Pitts	Shaw
Pombo	Shimkus
Pomeroy	Shuster
Porter	Sisisky
Portman	Skaggs
Price (NC)	Skeen
Quinn	Skelton
Radanovich	Smith (MI)
Rahall	Smith (NJ)
Ramstad	Smith (OR)
Rangel	Smith (TX)
Redmond	Smith, Adam
Regula	Smith, Linda
Reyes	Snowbarger
Riggs	Snyder
Riley	Solomon
Rodriguez	Souder

NAYS—90

Abercrombie	Jackson (IL)	Oberstar
Andrews	Jackson-Lee	Olver
Barrett (WI)	(TX)	Owens
Becerra	Johnson (CT)	Pallone
Berman	Johnson, E. B.	Pascarell
Blagojevich	Kennedy (RI)	Payne
Blumenauer	Kildee	Pelosi
Bonior	Kucinich	Rivers
Brady (PA)	LaFalce	Rothman
Brown (FL)	Lantos	Roybal-Allard
Brown (OH)	Lee	Sabo
Campbell	Lewis (GA)	Serrano
Cardin	Lofgren	Shays
Clay	Lowey	Sherman
Clayton	Maloney (CT)	Slaughter
Clyburn	Maloney (NY)	Stark
Davis (IL)	Markey	Tauscher
DeGette	Martinez	Tierney
Delahunt	Matsui	Torres
DeLauro	McGovern	Velazquez
Dixon	McKinney	Vento
Eshoo	McNulty	Visclosky
Evans	Meehan	Waters
Farr	Meek (FL)	Watt (NC)
Fattah	Meeks (NY)	Waxman
Filner	Millender	Wexler
Ford	McDonald	Weygand
Frank (MA)	Miller (CA)	Woolsey
Gutierrez	Moran (VA)	Wynn
Hastings (FL)	Nadler	Yates
Hinchey	Neal	

NOT VOTING—22

Barcia	Kennelly	Schumer
Berry	McDade	Shadegg
Dunn	Moakley	Stokes
Engel	Morella	Tauzin
Furse	Paxon	Towns
Gonzalez	Poshard	Young (AK)
Hefner	Pryce (OH)	
Kennedy (MA)	Rush	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§86.7 PROVIDING FOR THE
CONSIDERATION OF H.R. 2538

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 522):

Resolved, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2538) to establish a Presidential commission to determine the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the treaty. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill, modified by striking the last two sentences of subsection (c) of section 6. Each section of that amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§86.8 GUADALUPE-HIDALGO TREATY
LAND CLAIMS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 522 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2538) to establish a Presidential commission to deter-

mine the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the Treaty.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. BLUNT, assumed the Chair.

When Mrs. EMERSON, Chairman, pursuant to House Resolution 522, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Guadalupe-Hidalgo Treaty Land Claims Act of 1998”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions and findings.
- Sec. 3. Establishment and membership of Commission.
- Sec. 4. Examination of land claims.
- Sec. 5. Community Land Grant Study Center.
- Sec. 6. Miscellaneous powers of Commission.
- Sec. 7. Report.
- Sec. 8. Termination.
- Sec. 9. Authorization of appropriations.

SEC. 2. DEFINITIONS AND FINDINGS.

(a) **DEFINITIONS.**—For purposes of this Act:

(1) **COMMISSION.**—The term “Commission” means the Guadalupe-Hidalgo Treaty Land Claims Commission established under section 3.

(2) **TREATY OF GUADALUPE-HIDALGO.**—The term “Treaty of Guadalupe-Hidalgo” means the Treaty of Peace, Friendship, Limits, and Settlement (Treaty of Guadalupe Hidalgo), between the United States and the Republic of Mexico, signed February 2, 1848 (TS 207; 9 Bevans 791).

(3) **ELIGIBLE DESCENDANT.**—The term “eligible descendant” means a descendant of a person who—

(A) was a Mexican citizen before the Treaty of Guadalupe-Hidalgo;

(B) was a member of a community land grant; and

(C) became a United States citizen within ten years after the effective date of the Treaty of Guadalupe-Hidalgo, May 30, 1848, pursuant to the terms of the Treaty.

(4) **COMMUNITY LAND GRANT.**—The term “community land grant” means a village, town, settlement, or pueblo consisting of land held in common (accompanied by lesser private allotments) by three or more families under a grant from the King of Spain (or his representative) before the effective date of the Treaty of Cordova, August 24, 1821, or from the authorities of the Republic of Mexico before May 30, 1848, in what became the State of New Mexico, regardless of the original character of the grant.

(5) **RECONSTITUTED.**—The term “reconstituted”, with regard to a valid community land grant, means restoration to full status

as a municipality with rights properly belonging to a municipality under State law and the right of local self-government.

(b) **FINDINGS.**—Congress finds the following:

(1) New Mexico has a unique history regarding the acquisition of ownership of land as a result of the substantial number of Spanish and Mexican land grants that were an integral part of the colonization and growth of New Mexico before the United States acquired the area in the Treaty of Guadalupe-Hidalgo.

(2) Various provisions of the Treaty of Guadalupe-Hidalgo have not yet been fully implemented in the spirit of Article VI, section 2, of the Constitution of the United States.

(3) Serious questions regarding the prior ownership of lands in the State of New Mexico, particularly certain public lands, still exist.

(4) Congressionally established land claim commissions have been used in the past to successfully examine disputed land possession questions.

SEC. 3. ESTABLISHMENT AND MEMBERSHIP OF COMMISSION.

(a) **ESTABLISHMENT.**—There is established a commission to be known as the “Guadalupe-Hidalgo Treaty Land Claims Commission”.

(b) **NUMBER AND APPOINTMENT OF MEMBERS.**—The Commission shall be composed of five members appointed by the President by and with the advice and consent of the Senate. At least two of the members of the Commission shall be selected from among persons who are eligible descendants.

(c) **TERMS.**—Each member shall be appointed for the life of the Commission. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) **COMPENSATION.**—Members shall each be entitled to receive the daily equivalent of level V of the Executive Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

SEC. 4. EXAMINATION OF LAND CLAIMS.

(a) **SUBMISSION OF LAND CLAIMS PETITIONS.**—Any three (or more) eligible descendants who are also descendants of the same community land grant may file with the Commission a petition on behalf of themselves and all other descendants of that community land grant seeking a determination of the validity of the land claim that is the basis for the petition.

(b) **DEADLINE FOR SUBMISSION.**—To be considered by the Commission, a petition under subsection (a) must be received by the Commission not later than five years after the date of the enactment of this Act.

(c) **ELEMENTS OF PETITION.**—A petition under subsection (a) shall be made under oath and shall contain the following:

(1) The names and addresses of the eligible descendants who are petitioners.

(2) The fact that the land involved in the petition was a community land grant at the time of the effective date of the Guadalupe-Hidalgo Treaty.

(3) The extent of the community land grant, to the best of the knowledge of the petitioners, accompanied with a survey or, if a survey is not feasible to them, a sketch map thereof.

(4) The fact that the petitioners reside, or intend to settle upon, the community land grant.

(5) All facts known to petitioners concerning the community land grant, together with copies of all papers in regard thereto available to petitioners.

(d) **PETITION HEARING.**—At one or more designated locations in the State of New Mexico, the Commission shall hold a hearing

upon each petition timely submitted under subsection (a), at which hearing all persons having an interest in the land involved in the petition shall have the right, upon notice, to appear as a party.

(e) **SUBPOENA POWER.**—

(1) **IN GENERAL.**—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any petition submitted under subsection (a). The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the State of New Mexico.

(2) **FAILURE TO OBEY A SUBPOENA.**—If a person refuses to obey a subpoena issued under paragraph (1), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(3) **SERVICE OF SUBPOENAS.**—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) **SERVICE OF PROCESS.**—All process of any court to which application is to be made under paragraph (2) may be served in the judicial district in which the person required to be served resides or may be found.

(f) **DECISION.**—On the basis of the facts contained in a petition submitted under subsection (a), and the hearing held with regard to the petition, the Commission shall determine the validity of the community land grant described in the petition. The decision shall include a recommendation of the Commission regarding whether the community land grant should be reconstituted and its lands restored.

(g) **PROTECTION OF NON-FEDERAL PROPERTY.**—The decision of the Commission regarding the validity of a petition submitted under subsection (a) shall not affect the ownership, title, or rights of owners of any non-Federal lands covered by the petition. Any recommendation of the Commission under subsection (f) regarding whether a community land grant should be reconstituted and its lands restored may not address non-Federal lands. In the case of a valid petition covering lands held in non-Federal ownership, the Commission shall modify the recommendation under subsection (f) to recommend the substitution of comparable Federal lands in the State of New Mexico for the lands held in non-Federal ownership.

SEC. 5. COMMUNITY LAND GRANT STUDY CENTER.

To assist the Commission in the performance of its activities under section 4, the Commission shall establish a Community Land Grant Study Center at the Onate Center in Alcalde, New Mexico. The Commission shall be charged with the responsibility of directing the research, study, and investigations necessary for the Commission to perform its duties under this Act.

SEC. 6. MISCELLANEOUS POWERS OF COMMISSION.

(a) **HEARINGS AND SESSIONS.**—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if

authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) GIFTS, BEQUESTS, AND DEVISES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) IMMUNITY.—The Commission is an agency of the United States for the purpose of part V of title 18, United States Code (relating to immunity of witnesses).

SEC. 7. REPORT.

As soon as practicable after reaching its last decision under section 4, the Commission shall submit to the President and the Congress a report containing each decision, including the recommendation of the Commission regarding whether certain community land grants should be reconstituted, so that the Congress may act upon the recommendations.

SEC. 8. TERMINATION.

The Commission shall terminate on 180 days after submitting its final report under section 7.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$1,000,000 for each of the fiscal years 1999 through 2007 for the purpose of carrying out the activities of the Commission and to establish and operate the Community Land Grant Study Center under section 5.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. BLUNT, announced that the yeas had it.

Mr. MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 223
Nays 187

§86.9

[Roll No. 421]
YEAS—223

Aderholt	Bryant	Cook
Archer	Bunning	Cooksey
Armey	Burr	Cox
Bachus	Burton	Crane
Baker	Buyer	Crapo
Ballenger	Callahan	Cubin
Barrett (NE)	Calvert	Cunningham
Bartlett	Camp	Davis (IL)
Barton	Campbell	Davis (VA)
Bass	Canady	Deal
Bateman	Castle	DeLay
Bereuter	Chabot	Diaz-Balart
Bilbray	Chambliss	Dickey
Bilirakis	Chenoweth	Dixon
Bliley	Christensen	Doolittle
Blunt	Coble	Dreier
Boehrlert	Cornub	Duncan
Boehner	Collins	Dunn
Bonilla	Combest	Ehlers
Bono	Condit	Ehrlich
Brady (TX)	Conyers	Emerson

English	Kolbe	Rohrabacher
Ensign	Latham	Ros-Lehtinen
Everett	LaTourette	Roukema
Ewing	Lazio	Ryun
Fawell	Leach	Saxton
Foley	Lewis (CA)	Scarborough
Forbes	Lewis (KY)	Schaefer, Dan
Fossella	Linder	Schaffer, Bob
Fowler	Livingston	Sensenbrenner
Fox	LoBiondo	Serrano
Franks (NJ)	Lucas	Sessions
Frelinghuysen	Manzullo	Shaw
Gallely	McCollum	Shays
Gekas	McCrary	Shimkus
Gibbons	McHugh	Shuster
Gilchrist	McInnis	Skeen
Gillmor	McIntosh	Smith (MI)
Gilman	McKeon	Smith (NJ)
Gingrich	Metcalfe	Smith (OR)
Goodling	Mica	Smith (TX)
Goss	Miller (FL)	Smith, Linda
Graham	Moran (KS)	Snowbarger
Granger	Morella	Solomon
Greenwood	Myrick	Souder
Gutknecht	Nethercutt	Spence
Hansen	Neumann	Stearns
Hastert	Ney	Stump
Hastings (WA)	Northup	Sununu
Hayworth	Norwood	Talent
Hefley	Nussle	Taylor (NC)
Herger	Oxley	Thomas
Hill	Packard	Thornberry
Hillery	Pappas	Thune
Hobson	Parker	Tiahrt
Hoekstra	Paul	Torres
Horn	Paxon	Traficant
Hostettler	Pease	Visclosky
Houghton	Peterson (PA)	Walsh
Hulshof	Petri	Wamp
Hunter	Pickering	Waters
Hutchinson	Pickett	Watkins
Hyde	Pitts	Watts (OK)
Inglis	Pombo	Weldon (FL)
Istook	Porter	Weldon (PA)
Jenkins	Portman	Weller
Johnson (CT)	Quinn	White
Johnson, Sam	Radanovich	Whitfield
Jones	Rangel	Wicker
Kelly	Redmond	Wilson
Kim	Regula	Wolf
King (NY)	Riggs	Yates
Kingston	Riley	Young (FL)
Klug	Rogan	
Knollenberg	Rogers	

NAYS—187

Abercrombie	Engel	Kucinich
Ackerman	Eshoo	LaFalce
Allen	Etheridge	Lampson
Andrews	Evans	Lantos
Baessler	Farr	Largent
Baldacci	Fattah	Lee
Barr	Fazio	Levin
Barrett (WI)	Filner	Lewis (GA)
Becerra	Ford	Lipinski
Bentsen	Frank (MA)	Lofgren
Berman	Frost	Lowe
Bishop	Ganske	Luther
Blagojevich	Gejdenson	Maloney (CT)
Blumenauer	Goode	Maloney (NY)
Bonior	Goodlatte	Manton
Borski	Gordon	Markey
Boswell	Green	Martinez
Boucher	Gutierrez	Mascara
Boyd	Hall (OH)	Matsui
Brady (PA)	Hall (TX)	McCarthy (MO)
Brown (FL)	Hamilton	McCarthy (NY)
Brown (OH)	Harman	McDermott
Capps	Hastings (FL)	McGovern
Cardin	Hilliard	McHale
Carson	Hinchey	McIntyre
Clay	Hinojosa	McKinney
Clayton	Holden	McNulty
Clement	Hoolley	Meehan
Clyburn	Hoyer	Meek (FL)
Costello	Jackson (IL)	Meeks (NY)
Coyne	Jackson-Lee	Menendez
Cramer	(TX)	Millender-
Cummings	Jefferson	McDonald
Danner	John	Miller (CA)
Davis (FL)	Johnson (WI)	Minge
DeFazio	Johnson, E. B.	Mink
DeGette	Kanjorski	Mollohan
DeLauro	Kaptur	Moran (VA)
Deutsch	Kennedy (RI)	Murtha
Dicks	Kildee	Nadler
Doggett	Kilpatrick	Neal
Doyle	Kind (WI)	Oberstar
Edwards	Kleczka	Obey
	Klink	Olver

Ortiz	Sabo	Stokes
Owens	Salmon	Strickland
Pallone	Sanchez	Stupak
Pascarell	Sanders	Tanner
Pastor	Sandlin	Tauscher
Payne	Sanford	Taylor (MS)
Pelosi	Sawyer	Thompson
Peterson (MN)	Scott	Thurman
Pomeroy	Shadegg	Tierney
Price (NC)	Sherman	Turner
Rahall	Skaggs	Upton
Ramstad	Skelton	Velazquez
Reyes	Slaughter	Vento
Rivers	Smith, Adam	Watt (NC)
Rodriguez	Snyder	Waxman
Roemer	Spratt	Wexler
Rothman	Stabenow	Weygand
Roybal-Allard	Stark	Woolsey
Royce	Stenholm	Wynn

NOT VOTING—25

Barcia	Hefner	Rush
Berry	Kasich	Schumer
Brown (CA)	Kennedy (MA)	Sisisky
Cannon	Kennelly	Tauzin
Dingell	LaHood	Towns
Dooley	McDade	Wise
Furse	Moakley	Young (AK)
Gephardt	Poshard	
Gonzalez	Pryce (OH)	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§86.10 PROVIDING FOR THE

CONSIDERATION OF H.R. 3892

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 516):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours and, thereafter, as provided in section 2 of this resolution. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee. That amendment shall be considered as read, be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the provisions of the amendment in the nature of a substitute as then perfected shall be considered as original text for the purpose of further amendment under the five-minute rule. After disposition of the amendment numbered 1, it shall be in order to consider the amendment printed in the Congressional Record and numbered 2 pursu-